

BORA LASKIN LAW LIBRARY



3 1761 03324 5341

T O R T S

Volume II

1992-93

Professor E.J. Weinrib

Faculty of Law  
University of Toronto

Storage  
KF  
1249  
W35  
1992  
v.2

BORA LASKIN LAW LIBRARY

OCT 16 1992

FACULTY OF LAW  
UNIVERSITY OF TORONTO


T O R T S

Volume II

1992-93

Professor E.J. Weinrib

Faculty of Law  
University of Toronto



Digitized by the Internet Archive  
in 2018 with funding from  
University of Toronto

[https://archive.org/details/torts02wein\\_9](https://archive.org/details/torts02wein_9)

TABLE OF CONTENTS  
VOLUME II

PAGE #

III. DUTY AND REMOTENESS: GENERAL CONCEPTS

Wright, Cases on the Law of Torts . . . . .	III - 1
Winterbottom v. Wright . . . . .	III - 3
Fleming, The Law of Torts . . . . .	III - 5
Engels, Letter to Joseph Bloch . . . . .	III - 6
M'Alister (or Donoghue) v. Stevenson . . . . .	III - 7
Brad Daisley, "Detective Work Needed to Discover Final Result of First Negligence Case" . . .	III - 21
Deyong v. Shenburn . . . . .	III - 22
Clay v. A.J. Crump & Sons Ltd. . . . .	III - 24
Watson v. Buckley and Osborne, Garrett and Co. Ltd. . . . .	III - 25
Zane, German Legal Philosophy . . . . .	III - 27
Palsgraf v. Long Island Railroad Co. . . . .	III - 28
Keeton, Legal Cause in the Law of Torts . . . . .	III - 34
Seavey, Mr. Justice Cardozo and the Law of Torts .	III - 35
Prosser, Palsgraf Revisited . . . . .	III - 39
Haynes v. Harwood . . . . .	III - 49
Wagner v. International Railway Co. . . . .	III - 54
Horsley v. MacLaren . . . . .	III - 56
Urbanski v. Patel . . . . .	III - 56
An Act to Promote Good Citizenship . . . . .	III - 57
Duval v. Seguin . . . . .	III - 58
Welbridge Holdings Ltd. v. Greater Winnipeg . . .	III - 58
Family Law Reform Act . . . . .	III - 59

Renslow v. Mennonite Hospital . . . . .	III - 60
Note, Preconception Tort - The Need for a Limitation . . . . .	III - 62
McKay v. Essex Area Health Authority . . . . .	III - 64
Feinberg, Rights, Justice and the Bounds of Liberty . . . . .	III - 69
Troppi v. Scarf . . . . .	III - 72
Doiron v. Orr . . . . .	III - 72
Cataford v. Moreau . . . . .	III - 73
In Re Polemis and Furness Withy & Co. . . . .	III - 76
F.W. Jeffrey and Sons Ltd. and Finlayson v. Copeland Flour Mills Ltd. . . . .	III - 80
Prosser, Palsgraf Revisited . . . . .	III - 81
Overseas Tankship (U.K.) Ltd. v. Morts Dock & Engineering Co. Ltd. . . . .	III - 84
Overseas Tankship (U.K.) Ltd. v. The Miller Steamship Co. Pty. Ltd. (The Wagon Mound, No. 2) . . . . .	III - 91
Hart and Honore, Causation in the Law . . . . .	III - 93
Morris, Duty Negligence and Causation . . . . .	III - 95
Smith v. Leech Brain & Co. Ltd. . . . .	III - 98
Stephenson v. Waite Tileman Limited . . . . .	III - 103
Cotic v. Gray . . . . .	III - 107
Robson v. Ashworth . . . . .	III - 108
Hughes v. Lord Advocate . . . . .	III - 109
Doughty v. Turner Manufacturing Co. Ltd. . . . .	III - 113
Keeton, Legal Cause in the Law of Torts . . . . .	III - 116
Bradford v. Kanellos . . . . .	III - 124

Q. v. Minto Management Ltd. . . . .	III - 128
Lucas v. Juneau . . . . .	III - 129
Home Office v. Dorset Yacht Co. Ltd . . . . .	III - 130
Lamb v. London Borough of Camden . . . . .	III - 143
Supplementary Reading . . . . .	III - 149

#### **IV. Cause in Fact**

##### **1. The Nature of Factual Causation**

Weinrib, A Step Forward in Factual Causation . . . . .	IV - 1
Barnett v. Chelsea & Kensington Hospital Management Committee . . . . .	IV - 2
Lambton v. Mellish . . . . .	IV - 5
Sunrise Co. Ltd. et al. v. Ship "Lake Winnipeg" . . . . .	IV - 11

##### **2. Factual Uncertainty**

Blackstock v. Foster . . . . .	IV - 17
Cook v. Lewis . . . . .	IV - 19
Sindell v. Abbott Laboratories et al. . . . .	IV - 25
McGhee v. National Coal Board . . . . .	IV - 33
Malone, Ruminations on Cause-In-Fact (1956) . . . . .	IV - 40
Wilsher v. Essex Area Health Authority . . . . .	IV - 42
Farrell v. Snell . . . . .	IV - 48
Hotson v. East Berkshire Area Health Authority . . . . .	IV - 57

